DETAILED ACTION

This office action is responsive to communications filed on 5/11/2010.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/11/2010 has been entered.

Response to Amendment

The examiner has acknowledged the amended claims 4, 7, 16, and 19. Claims 2, 4-12, 14, and 16-24 are pending.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2 and 4-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

No Disclosure or Insufficient Disclosure of the Structure, Material, or Acts for Performing the Function Recited in a Claim Limitation Invoking 35 U.S.C. 112, Sixth Paragraph. For claims 2 and 4-10, claim elements "sending the MSISDN to a core network", “obtaining the Internet address of the second MMS user agent from the core network”, “receiving, from the first MMS user agent, a request to send a multimedia message to the second MMS user agent, the request including a mobile station international ISDN number (MSISDN) of the second MMS user agent”, “obtaining an Internet address of the second MMS user agent directly from a core network based on the MSISDN of the second MMS user agent, if the MSISDN is not an Internet address of the second MMS user agent”, “forwarding the obtained Internet address to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address”, “sending the MSISDN directly to a core network”, “obtaining an international mobile subscriber identity (IMSI) address corresponding to the MSISDN directly from the core network”, “sending the obtained IMSI address directly to the core network”, “obtaining the Internet address corresponding to the IMSI directly from the core network”, “receiving, from the first MMS user agent, a request to send a multimedia message to the second MMS user agent, the request including an identification (ID) number of the second MMS user agent”, “forwarding the request directly to the second MMS server”, “obtaining an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent”, “forwarding the obtained Internet address of the second MMS

user agent directly to the first MMS server", "sending the ID number to a core network of a wireless network system", "obtaining the Internet address of the second MMS user agent from the core network", :sending the MSISDN to a core network of a wireless network system", "receiving an international mobile subscriber identity (IMSI) address corresponding to the MSISDN from the core network", "sending the received IMSI address to the core network", and "receiving the Internet address corresponding to the IMSI from the core network" are means (or step) plus function limitation that invokes 35 U.S.C. 112, sixth paragraph. However, the written description fails to disclose the corresponding structure, material, or acts for the claimed functions. There is clearly insufficient disclosure of the Structure, Material, or Acts for Performing the Functions Recited in these Claims. All dependent claims are necessarily rejected as being dependent upon the rejected claims.

Applicant is required to:

(a) Amend the claims so that the claim limitations will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or

(b) Amend the written description of the specification such that it expressly recites what structure, material, or acts perform the claimed function without introducing any new matter (35 U.S.C. 132(a)).

If applicant is of the opinion that the written description of the specification already implicitly or inherently discloses the corresponding structure, material, or acts so that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function, applicant is required to clarify the record by either:

(a) Amending the written description of the specification such that it expressly recites the corresponding structure, material, or acts for performing the claimed function and clearly links or associates the structure, material, or acts to the claimed function, without introducing any new matter (35 U.S.C. 132(a)); or

(b) Stating on the record what the corresponding structure, material, or acts, which are implicitly or inherently set forth in the written description of the specification, perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 4, 2, 5, 6, 16, 14, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaananen (US 7,218,919 B2, hereinafter Vaananen), and in view of Casati et al. (US 7,301,934 B1, hereinafter Casati).

Regarding claim 4, Vaananen discloses a wireless network system that enables direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent to a second MMS user agent, the system comprising:

means for receiving, from the first MMS user agent, a request to send a multimedia message to the second MMS user agent, the request including a mobile

station international ISDN number (MSISDN) of the second MMS user agent [col. 2, lines 14-25, the lookup server and the telephone number of the recipient; col. 4, lines 53-59, ISDN number];

means for obtaining an Internet address of the second MMS user agent directly from a core network based on the MSISDN of the second MMS user agent, if the MSISDN is not an Internet address of the second MMS user agent [col. 2, lines 14-25, "The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient, name or other information"; col. 4, lines 36-40, "The telephone number of the recipient is converted to an IP-address in one preferable embodiment"; col. 4, lines 53-59, ISDN number]; and

means for forwarding the obtained Internet address to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address [col. 2, lines 14-25, MMS delivery service; col. 4, lines 60-61, "In phase 140 the data file is transmitted to the recipient via telephony network or the Internet"].

Vaananen discloses the claimed invention except for the international mobile subscriber identity (IMSI) address. Casati teaches the means for sending the MSISDN directly to a core network [Fig. 2 and col. 4, lines 34-42, Step S1], means for obtaining an international mobile subscriber identity (IMSI) address corresponding to the MSISDN directly from the core network [col. 4, lines 43-46, Step S2], means for sending the obtained IMSI address directly to the core network [col. 4, lines 47-51, Step S3], and means for obtaining the Internet address corresponding to the IMSI directly from the

core network [col. 4, lines 61-65, Steps S5 and S6]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Casati's teaching into Vaananen's system for the purpose of serving MMS User Agents across international MMSEs by interworking between international MMS service providers using IMSI, thereby increasing satisfaction/convenience for MMS users and revenues for MMS service providers.

Regarding claim 2, Vaananen further teaches the system of claim 4, wherein the obtaining means includes:

means for sending the MSISDN to a core network [col. 2, lines 14-25, "The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient, name or other information. Likewise, the telephone number may be found on the basis of the IP-address or other information related to the recipient by **querying** the lookup server"]; and

means for obtaining the Internet address of the second MMS user agent from the core network [col. 2, lines 14-25, "The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient, name or other information"; col. 4, lines 36-40, "The telephone number of the recipient is converted to an IP-address in one preferable embodiment"].

Regarding claim 5, Vaananen discloses the claimed invention except for the HLR. However, Casati further teaches: the MSISDN is sent to a home location register

(HLR) in the core network [Fig. 2 and col. 4, lines 39-43, Step S1, HLR 17]; the IMSI address is obtained from the HLR [col. 4, lines 43-46, Step S2]; the obtained IMSI is sent to a user database in the core network [col. 4, lines 47-54, Step S3 and S4]; and the Internet address is obtained from the user database [col. 4, lines 61-65, Step S6]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Casati's teaching into Vaananen's system for the purpose of serving MMS User Agents across international MMSEs by interworking between international MMS service providers using IMSI and the HLR, thereby increasing satisfaction/convenience for MMS users and revenues for MMS service providers.

Regarding claim 6, Vaananen further teaches the system of claim 4, wherein the wireless network system is implemented in an Internet Protocol (IP) based network [col. 2, lines 14-25, TCP/IP].

Claim 14 is of the same scope as claim 2. It is rejected for the same reasons as for claim 2.

Claims 16-18 are of the same scope as claims 4-6 respectively. They are rejected for the same reasons as for claims 4-6 respectively.

5. Claims 7-9, 12, 19-21, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaananen, and in view of Casati et al. (US 7,301,934 B1, hereinafter Casati).

Regarding claim 7, Vaananen discloses a wireless network system for enabling direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent located in a first multimedia messaging service environment (MMSE) to a second MMS user agent located in a second MMSE, the system comprising:

a first MMS server located in the first MMSE [Figure 9 and col. 12, lines 7-28]; and

a second MMS server located in the second MMSE [Figure 9 and col. 12, lines 7-28];

wherein the first MMS server includes:

means for receiving, from the first MMS user agent, a request to send a multimedia message to the second MMS user agent, the request including an identification (ID) number of the second MMS user agent [col. 2, lines 14-25, the lookup server and the telephone number of the recipient; Figure 9 and col. 12, lines 7-28], and

wherein the second MMS server includes:

means for obtaining an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent [col. 2, lines 14-25, “The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient, name

or other information"; col. 4, lines 36-40, "The telephone number of the recipient is converted to an IP-address in one preferable embodiment"];

wherein the first MMS server forwards the obtained Internet address received from the second MMS server directly to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address [col. 2, lines 14-25, MMS delivery service; col. 4, lines 60-61, "In phase 140 the data file is transmitted to the recipient via telephony network or the Internet"].

Vaananen discloses the claimed invention except for the first MMSE is different from the second MMSE, and the communications between the two MMS servers. However, Casati discloses a home network and a visiting network in which a mobile is roaming [see col. 4 line 34 through col.5 line 6, and Figure 2.]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Casati's teaching into Vaananen's system for the purpose of serving MMS User Agents across different MMSEs by interworking between different MMS service providers, thereby increasing satisfaction/convenience for MMS users and revenues for MMS service providers.

Regarding claim 8, Vaananen further teaches the system of claim 7, wherein the obtaining means of the second MMS server includes:

means for sending the ID number to a core network of a wireless network system [col. 2, lines 14-25, "The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient, name or

other information. Likewise, the telephone number may be found on the basis of the IP-address or other information related to the recipient by **querying** the lookup server"], and

means for obtaining the Internet address of the second MMS user agent from the core network [col. 2, lines 14-25, "The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient, name or other information"; col. 4, lines 36-40, "The telephone number of the recipient is converted to an IP-address in one preferable embodiment"].

Regarding claim 9, Vaananen further teaches the system of claim 7, wherein the identification number is a mobile station international ISDN number (MSISDN) [col. 4, lines 53-59, ISDN number].

Regarding claim 12, Vaananen further teaches the system of claim 7, wherein the wireless network system is implemented in an Internet Protocol (IP) based network [col. 2, lines 14-25, TCP/IP].

Claims 19-21 are of the same scope as claims 7-9 respectively. They are rejected for the same reasons as for claims 7-9 respectively.

Claim 24 is of the same scope as claim 12. It is rejected for the same reasons as for claim 12.

6. Claims 10-11 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaananen and Casati et al. (US 7,301,934 B1, hereinafter Casati).

Regarding claim 10, Vaananen discloses the claimed invention except for the international mobile subscriber identity (IMSI) address. Casati teaches the means for sending the MSISDN to a core network of a wireless network system [Fig. 2 and col. 4, lines 34-42, Step S1], means for receiving an international mobile subscriber identity (IMSI) address corresponding to the MSISDN from the core network [col. 4, lines 43-46, Step S2], means for sending the received IMSI address to the core network [col. 4, lines 47-51, Step S3], and means for receiving the Internet address corresponding to the IMSI from the core network [col. 4, lines 61-65, Steps S5 and S6]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Casati's teaching into Vaananen's system for the purpose of serving MMS User Agents across international MMSEs by interworking between international MMS service providers using IMSI, thereby increasing satisfaction/convenience for MMS users and revenues for MMS service providers.

Regarding claim 11, Vaananen discloses the claimed invention except for the HLR. However, Casati further teaches: the MSISDN is sent to a home location register (HLR) in the core network [Fig. 2 and col. 4, lines 39-43, Step S1, HLR 17]; the IMSI address is obtained from the HLR [col. 4, lines 43-46, Step S2]; the obtained IMSI is sent to a user database in the core network [col. 4, lines 47-54, Step S3 and S4]; and the Internet address is obtained from the user database [col. 4, lines 61-65, Step S6]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Casati's teaching into Vaananen's system for the purpose of serving MMS User Agents across international MMSEs by interworking

between international MMS service providers using IMSI and the HLR, thereby increasing satisfaction/convenience for MMS users and revenues for MMS service providers.

Claims 22-23 are of the same scope as claims 10-11 respectively. They are rejected for the same reasons as for claims 10-11 respectively.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Lars Novak and Magnus Svensson, "MMS--Building on the Successes of SMS", Ericsson, 2001.

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL C. LAI whose telephone number is (571)270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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